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**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Address to:
Commissioner for Patents
Box RCE
Washington, DC 20231

| | |
|------------------------|---------------------|
| Application Number | 09/551,380 |
| Filing Date | 04/18/2000 |
| First Named Inventor | Donald Choy Chan |
| Art Unit | 1652 |
| Examiner Name | Christian L. Fronda |
| Attorney Docket Number | MLY-5 |

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#19130

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. Submission required under 37 CFR 1.114

- a. Previously submitted
 - i. Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on 10/30/2002
(Any unentered amendment(s) referred to above will be entered).
 - ii. Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
 - iii. Other _____
- b. Enclosed
 - i. Amendment/Reply
 - ii. Affidavit(s)/Declaration(s)
 - iii. Information Disclosure Statement (IDS)
 - iv. Other Communication

2. Miscellaneous

- a. Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. Other _____

3. Fees The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a. The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 04-1403
 - i. RCE fee required under 37 CFR 1.17(e) 02/06/2003 ERREGAYI 00000110 09551380
 - ii. Extension of time fee (37 CFR 1.136 and 1.17) EX FC32001 375.00 CP
 - iii. Other _____
- b. Check in the amount of \$ 840.00 enclosed
- c. Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

| | | | |
|-------------------|----------------------------|-----------------------------------|--------|
| Name (Print/Type) | J. Bennett Mullinax | Registration No. (Attorney/Agent) | 36,221 |
| Signature | <u>J. Bennett Mullinax</u> | | |
| Date | 01/30/2003 | | |

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

| | |
|-------------------|-----------------------|
| Name (Print/Type) | Peggy S. Baker |
| Signature | <u>Peggy S. Baker</u> |
| Date | 01/30/2003 |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND FEES AND COMPLETED FORMS TO THE FOLLOWING ADDRESS: Assistant Commissioner for Patents, Box RCE, Washington, DC 20231.



PATENT

ATTORNEY DOCKET NO.: MLY-5

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Chang et al) Examiner: C. Fronda
S/N: 09/551,380) Art Unit: 1652
Filed: 04/18/2000) Conf. No.: 2514
Title: "Modified Fluorescent Proteins for)
Detecting Protease Activity")

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COMMUNICATION ACCOMPANYING AN RCE

Commissioner for Patents
Washington, DC 20231

Dear Sir:

Pursuant to the telephone message left by the Examiner on January 25, 2003, Applicant has been informed that an Advisory Action in the above styled case has been recently mailed. At present, the Advisory Action has not been received.

By way of the accompanying RCE, Applicant has requested that the previously unentered amendment be entered for consideration by the Examiner. Should the Advisory Action indicate that the previously submitted amendment was entered or considered, Applicant will supplement the RCE with an additional responsive amendment.

The Examiner is encouraged to contact the undersigned should the RCE request to enter the previously filed amendment not materially advance the prosecution of this case.

Please charge any additional fees required to Deposit Account No. 04-1403.

Respectfully submitted,
DORITY & MANNING, PA

J. Bennett Mullinax
Reg. No. 36,221

Dority & Manning, PA
P O Box 1449
Greenville, SC 29602-1449
(V) 864 271 1592
(F) 864 233 7342